

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

HOUSING RIGHTS INITIATIVE,

Plaintiff,

-against-

COMPASS, INC., et al.,

Defendants.

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 3/5/2024
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21-CV-2221 (SHS) (BCM)

**ORDER**

**BARBARA MOSES, United States Magistrate Judge.**

The Court conducted a videoconference today regarding (i) plaintiff's motion to compel defendant Winzone Realty Inc. (Winzone) to respond to plaintiff's discovery demands (Dkt. 741); (ii) the motion of attorney Victor Tsai for leave to withdraw as counsel for Winzone (Dkt. 749); and (iii) plaintiff's unopposed request for an extension of discovery deadlines (Dkts. 755, 757). A portion of the conference, concerning the withdrawal request, was conducted *ex parte*, attended only by attorney Tsai and Winzone's owner, Xiao Feng Pan (Ben).

Plaintiff's extension motion having been granted (*see* Dkt. 758), and Winzone having consented, though its owner, to attorney Tsai's withdrawal, the motion to withdraw is GRANTED and the motion to compel discovery is ADJOURNED *sine die*. Attorney Tsai's withdrawal will be effective once he has served a copy of this Order on Xiao Feng Pan and filed proof of such service on the docket. Counsel did not seek, and the Court does not grant, any charging lien.

A corporation "must appear through licensed counsel." *Lattanzio v. COMTA*, 481 F.3d 137, 139 (2d Cir. 2007). Accordingly, this action is hereby STAYED as against Winzone for 30 days, to permit Winzone to retain new counsel. No later than **April 4, 2024**, Winzone's new counsel must file a notice of appearance on the docket. **Should Winzone fail to appear through new counsel by April 4, 2024, plaintiff may commence default proceedings against it.**

If Winzone fails to make satisfactory arrangements to comply with its outstanding discovery obligations within **seven days (one week)** of the appearance of its new counsel, plaintiff may, by letter, place its motion to compel discovery back on the Court's calendar and seek a new conference date.

In the event that either Winzone or attorney Tsai requests a transcript of the *ex parte* portion of today's proceedings, the transcript must be filed under seal at the *ex parte* level, visible only to defendant Winzone and the Court, pending further order from the Court.

Dated: New York, New York  
March 5, 2024

**SO ORDERED.**



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**BARBARA MOSES**  
**United States Magistrate Judge**